

IN THE UNITED STATES DISTRICT  
COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

FILED

MAY 18 2009

CLERK, U.S. DISTRICT COURT  
By \_\_\_\_\_ Deputy

JOANN BROWN,

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Plaintiff,

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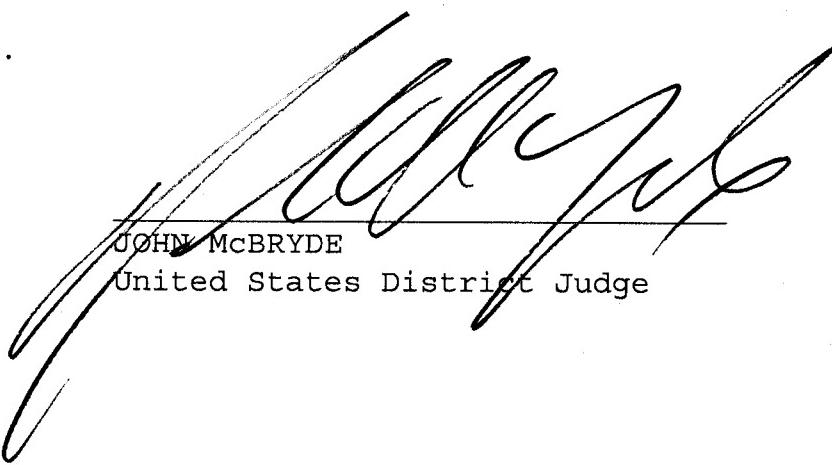
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Therefore,

The court ORDERS that the final decision of the Commissioner be, and is hereby, reversed, and that plaintiff's claim be, and is hereby, remanded to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g)<sup>1</sup> for further proceedings consistent with the Magistrate Judge's findings, conclusions, and recommendation.

SIGNED May 18, 2009.



JOHN McBRYDE  
United States District Judge

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<sup>1</sup>As explained by the Supreme Court, a remand pursuant to sentence six of § 405(g) may be ordered only where the Commissioner "requests a remand before answering the complaint, or where new, material evidence is adduced that was for good cause not presented before the agency." Shalala v. Schaefer, 509 U.S. 292, 297 n.2 (1993). Neither of those circumstances is before the court in this action.